staff is unnecessary and can be avoided. I do not exactly follow the Hon'ble Member.

Mr. A. B. Salem.—What I stated was that provision was made in the budget for this year for a Special Surveyor for Oodupully work.

Mr. T. M. Krishna Menon.—This year there is no Special Officer for Oodupulli work. The Revenue Inspector at Chowwara is appointed as Special Surveyor; there is only renewal work to attend to and in that matter he is assisted by a Menon. It is true that last year there was a Special Officer.

I beg to submit that this allotment is absolutely necessary. The entertainment of the staff is unavoidable, and the House will be pleased to vote the demand.

If any further information is necessary, I am prepared to give.

Motion No. 1.

Mr. A. B. Salem.—*To reduce the allotment, of Rs. 1,150 for 1—Land Revenue—Temporary Establishment by Rs. 750.*

Mr. A. B. Salem.—On page 20 of the budget for 1104, under 'Land Revenue (1) Temporary Establishment', provision is made for a Special Surveyor on Rs. 100 plus 30, 4 Surveyors for verification work, for Survey training Rs. 500 and under Oodupulli Rs. 1,295.

Mr. T. M. Krishna Menon.—There was no Special Officer for Oodupulli.

Mr. A. B. Salem.—All those names are put there and you have provided Rs. 6,900 and odd altogether. Perhaps this year there is nothing.

Mr. T. M. Krishna Menon.—No.

Mr. A. B. Salem.—I think the Hon'ble Member is right.

Mr. T. M. Krishna Menon.—That was for the Palghat-Cochin boundary and not Valluvanad boundary.

President.—Mr. Salem, do you press your cut motion ?

Mr. A. B. Salem.—No.

Hence it was considered withdrawn.

Question proposed: *That the supplementary grant for Rs. 1,150 under 'I—Land Revenue—Temporary Establishment' be carried.*

Question put and agreed to.

2. I—Land Revenue—Temporary Establishment—Rs. 840.

Mr. T. M. Krishna Menon.—Sir, I move for an additional allotment of Rs. 840 under 'Land Revenue—Temporary Establishment, for the purpose of appointing a Special Temporary Staff in connection with the partition of the Ambat *tarwad properties*, Chittur. Government does not,....

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Dr. A. G. Menon.—We are paying you Rs. 1,000.

Mr. T. M. Krishna Menon.—This money is only temporarily taken from the Government. It would be recouped from the payment made by the parties. I am only taking it as an advance.

President.—You cannot spend Government money without sanction.

Mr. T. M. Krishna Menon.—We will ask them to deposit the money and then only will work be begun. One of the conditions is that the pay of the temporary staff for three months should be paid in advance. I think it must have been paid by this time.

Dr. A. G. Menon.—Then what is the necessity for this, Sir?

Mr. T. M. Krishna Menon.—The pay of the staff has to be disbursed in the first instance from public revenues and that amount has to be recouped from the deposit made.

Dr. A. G. Menon.—Then this is only just an adjustment of accounts.

Mr. K. Krishna Pisharodi.—We cannot directly spend from the general revenue. We have a separate head for recoveries under special establishment and this is debited to the extent we want and for that separate sanction is necessary and it is termed as temporary and the cost will be recovered and credited to that head.

Dr. A. G. Menon.—This must have been recovered already.

Mr. T. M. Krishna Menon.—The appointment is for six months. We have taken a deposit necessary for three months.

President.—At any rate, Government will not have to spend anything in connection with this. It is to be recovered from the parties.

Mr. T. M. Krishna Menon.—I am sure that Government will not have to spend anything from their pocket.

Motion No. 1.

Mr. A. B. Salem.—*To omit the allotment of Rs. 840 for 'I —Land Revenue—Temporary Establishment'.*

Mr. A. B. Salem.—I beg to move the cut motion standing in my name, *i. e.*, to reduce the allotment under this head by Re 1. I may be allowed to convert the motion for the omission into a token motion.

President.—I allow it.

Mr. A. B. Salem.—My object in tabling the motion is to

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draw the attention of the Government that the practice of taking money from private parties for the discharge of duties incumbent upon the Government must be condemned by this House. Here is a court decree which the Law demands to be executed by the Revenue authorities. And the court sends it to the Revenue authorities for execution. The Revenue authorities find it difficult to cope with the work or find it difficult to get on expeditiously with the work. They turn round and tell the party 'if you want the work to be done expeditiously, then a special staff will be necessary.' The party says 'we want the work to be done urgently.' Then the Revenue authorities say 'then pay for it.' I submit to the Government that is not a policy that the Government should adopt.

Mr. T. M. Krishna Menon.—One word of explanation. In fact it is not the Government who asked the party to pay for the special staff. It is the party who came to me and said that they wanted the work to be done urgently and that, if a special staff was necessary for that purpose, they would meet the cost. Government did not ask the party to pay. It is the party who said that they would pay.

Dr. A. G. Menon.—At his cost or the *tarwad's* cost? That must be explicitly said from here.

Mr. T. M. Krishna Menon.—Mr. Kuttikrishna Menon, who is a member of the *tarwad*, approached me and placed this proposition before me. The expenditure might be borne by him or by the *tarwad*. I did not ask him who would bear it. It is only on the condition put forward by Mr. Kuttikrishna Menon that I suggested to the Government the appointment of a special staff, i. e., I asked the Government for sanction for the appointment of a special staff. I did it in the interests of the parties and not in the interests of the Government. If I was wrong in not refusing the party's offer, then of course I must confess to have made a mistake.

Mr. K. P. Kannan Nayar.—Where is the urgent necessity to deposit the money before you appoint the staff? Even then, should you not have asked them to deposit the whole expenses?

Mr. T. M. Krishna Menon.—I asked the party to deposit only three months' pay of the special staff in advance, and I think the Tahsildar must have received the amount by this time.

Mr. K. P. Kannan Nayar.—All the cost must be contributed by them. Then why not ask them to deposit the whole?

Mr. T. M. Krishna Menon.—I proposed easier terms. The funds necessary for the first three months were asked to be deposited in the first instance and the remainder afterwards.

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Mr. K. Krishna Pisharodi.—We wanted to have the amount deposited before the work was taken up.

Mr. K. P. Kannan Nayar.—It is the party concerned who wanted that the work should be pushed through; so why not he be asked to deposit the whole amount in the first instance?

Mr. T. M. Krishna Menon.—I have asked him to deposit the expenditure for three months; when the three month's period expires, we can ask him to deposit the balance required for the remaining three months also.

President.—We can ask him to deposit the expenditure for all the six months, and if there is any balance, refund it.

Mr. T. M. Krishna Menon.—That has not been done. Only three months',.....

Dr. A. G. Menon.—This is a Court decree and the Diwan Peishkar is asked to execute the decree. Is it right on the part of the Government to demand any money?

Mr. T. M. Krishna Menon.—Government never demanded.

Dr. A. G. Menon.—You insisted upon paying. My information is that the Diwan Peishkar wanted the party to deposit the amount necessary for the expenses, then he will appoint a special staff for that purpose; that is what I understood.

President.—What I understood from the papers was that this would be a dilatory process. If this is to be done with the ordinary staff, it may take two or three years. The party wanted the execution of the order as early as possible. The Diwan Peishkar said that in that case a special staff would be necessary. Then the party said he would pay the amount.

Dr. A. G. Menon.—The Government has sanctioned the appointment of the special staff and the Government has sanctioned also the appointment of the party. The party will continue to do the work till the whole division is over. Suppose they take two years, are we to pay, Sir?

Mr. T. M. Krishna Menon.—That will be decided after seeing the progress of the work.

Dr. A. G. Menon.—My case is, suppose the Revenue Inspector goes on with the work for two years, are we to be saddled with the amount?

President.—When you find needless delay is being caused in pushing on the work, and if you were to say 'we do not want this special staff for the division and let us have the normal staff to proceed with the work,' then it is in the interests of the parties to watch the progress of the work and see that needless delay is not caused.

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Mr. T. M. Krishna Menon.—I have given the men they wanted. They nominated the people and I have appointed them.

President.—But then we are on the question of principle, whether Government is right in taking the expenses in connection with the special staff from the party.

Dr. A. G. Menon.—I do not know whom we wanted and who wanted. I do not think all the family are for this. I think one or two members of the family may have required the appointment of the special staff.

President.—The name of the party who wanted has been stated by the Diwan Peishkar. Mr. Kuttikrishna Menon's name was prominently mentioned.

Mr. T. M. Krishna Menon.—You are too many in number.

Dr. A. G. Menon.—That is why we have come to the Government to get a Revenue Inspector appointed and get our properties partitioned.

Mr. A. Eachara Menon.—Another point, I may say here, is that this Kuttikrishna Menon is the plaintiff in the suit.

Mr. T. M. Krishna Menon.—I know some of the parties wanted the matter to be pushed through.

Dr. A. G. Menon.—We are almost unaware of this fact.

Mr. T. M. Krishna Menon.—There is something in all his.

Mr. A. Eachara Menon.—The plaintiff wants it and you have given his own man.

Mr. T. M. Krishna Menon.—Yes.

Dr. A. G. Menon.—That is a bad procedure. Some interested party wants this to be pushed through. That is all I can say.

President.—It is not a personal consideration.

Dr. A. G. Menon.—No, no. I never said that.

President.—Mr. Salem was saying that, if this work is to be done by the normal staff, then the work will be dragged on for a great length of time. Suppose you get a contested suit which will occupy the court for two or three years, and then, when the party comes and says 'well, you better appoint an additional court; I shall pay the expenses until the final decision is arrived at,' I think the Government will not be justified in accepting his request and appointing a judge on the salary he provides and then proceed with the work.

Mr. A. B. Salem.—Hear, hear. That is the exact point I raised.

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Mr. T. M. Krishna Menon.—I must concede that there is something in it.

President.—Government appoints and pays out of Government revenues.

Mr. T. M. Krishna Menon.—The appointment of a judicial officer is quite different from the appointment of a ministerial officer for works to be attended to. I look more to the interest of the Government and not to the interest of the party.

Dr. A. G. Menon —And make the *tarwad* pay for it.

Mr. T. M. Krishna Menon.—The party said that he would pay for it, and so I recommended to the Diwan the appointment of the special staff.

Dr. A. G. Menon.—You stated that the work could not be done without a special staff and so the party agreed to it.

President.—The question who should pay does not arise now. Who should pay the expenses of the special staff will be a matter for Mr. Kuttikrishna Menon and the other members of the *tarwad* to decide. We are not concerned with that question. Money must be paid and that must be spent. I am only referring to the principle. So many things have to be done by Government. Parties want a speedy execution. You say with the normal staff it is not possible to finish it soon. The party comes forward and says, 'I will pay'. Can we approve that?

Mr. T. M. Krishna Menon.—I don't suppose there is anything wrong in it. Government may pay the cost. There is no harm in that. I don't find anything wrong in it and the other will be more proper. I must concede that.

Dr. A. G. Menon.—My intention is that we should not be asked to pay for it.

President.—How can the Government decide it now? It is a matter for outside authorities to decide who should defray the expenses. We have nothing to do with regard to that matter.

Dr. A. G. Menon.—It has come before the Council for sanction and we may object to it.

President.—Whether it is Mr. Kuttikrishna Menon or the other members of this *tarwad* who should defray the expenditure, the Council is not in a position to say. Here the point is that we want an advance of the amount and we will meet that advance by realising the amount from Mr. Kuttikrishna Menon. Government acts on his request and so he must abide by that.

Mr. T. M. Krishna Menon.—Here is an application for an additional allotment. The only question that now arises is whether the appointment of a special staff is necessary, and the

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other question whether the money is to be recovered from the Ambat people does not properly arise. It is a matter,.....

President.—That is, whether money asked for should be voted for the payment of these officers; that is the question. Any other question about the obligations of parties to apportion the amount amongst themselves and all these things do not arise.

Mr. A. B. Salem.—I press my cut motion. The Hon'ble Member for Land Revenue got up to offer a little explanation and the whole thing went out of my hands.

My point is that there is a duty cast upon the Government. The Government must carry out their duty at their cost. If the parties want the work to be done expeditiously, it will also be the duty of the Government to do it as expeditiously as it can. And it will not lie in their mouth to say that we shall expedite, if money is offered. I say, even if money is offered, it should be the incumbent function of the Government to say 'no. We do not want your money, particularly from you, to carry out certain duties that the law lays upon us to be discharged. Your money comes to us by means of taxes.' Everybody is taxed. You collect land revenue. The country contributes to you by such revenue what the land should give to you. When a dispute comes and in which it is necessary to partition that land by metes and bounds, it is the function of the Survey and Revenue authorities of the State to carry out that function, as expeditiously as they possibly can, and if they find that the work needs one or two additional men, it is for them to apply to the Government—to move the Government—to appoint the necessary staff. That should be the policy of the Government. I have given notice of this token motion only to swerve the Government back to the proper line. The Government is to see that necessary staff is appointed to investigate and finish the work in the interests of the parties. The prestige of the Government is much more than a few rupees, annas and pies. This Rs. 840 should be paid by the *tarwad*; that is the position now. It will not be to the prestige of the Government. Government should certainly give this Rs. 840 for any extra work that may be necessary. Some other arguments were, that the properties lie scattered in different villages—in every village. The village authorities in every village should be asked to apportion that land in their particular village. They can be asked to do the work. A strong central Tahsildar working on it can order his Parvathiams and Menons to expeditiously partition the properties in their villages according to the decree and send to the central place. What I say is, that the Government should not be found to give colour to the feeling of favouring A or B,

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In a matter of dispute, to accept money from a party in the suit will be favouring that party. You may ask this House for the amount necessary in connection with this work. We will grant it. Even if we say that we are not going to give you the money, there is provision in the Regulation for the Government to take the money if it is necessary. Of course, you say we have the key. Neither the Treasury nor the purse is in our power! Even if we say that we would not give you the amount, you take it against our voice, and only this morning you have taken Rs. 62,000 and odd—that Rs. 62,000 and odd which has been voted down by this House. So there is no fear of that. All the keys are always with you. Let it not be said that we have any bargaining spirit inside this House. Mr. A. Kuttikrishna Menon has offered to pay and we here have agreed. Supposing he does not pay the next instalment? What about the understanding that the work will be taken up expeditiously? The work will stop. He has lost his money and the prestige of the Government is affected, and when we must stand here and ask what happened, you will say 'nothing happened'. It is now stated that the *tarwad* must pay. I say that the Government must pay for it and appoint the necessary staff and say that 'we do not want this Rs. 840.' In the first place this money is not deposited. Supposing he refuses for some reason or other to deposit the money, and we have sanctioned this Rs. 840, the expenditure will go on.

President.—It is subject to the deposit only; when the deposit is made, the necessary staff will be appointed and not before that.

Mr. A. B. Salem.—If there was any necessity before you, you could have come for a grant before this House. You now come in for an adjustment of the account, or to transfer from one head to the other. That is the honour that is given to us! How to transfer this expenditure, which is nobody's expenditure, into Miscellaneous head is the question, and you want our vote on that! That is the great honour we have got in the financial problems of this country at present! Therefore, I submit that this token motion must be carried by this House to show to the Government that we do not approve of the policy of accepting money, even if offered, for the discharge of the responsibilities that the law lays upon the Government.

Supposing the party does not pay, the Diwan Peishkar will attach the *tarwad* property.

President.—No appointment will be made. Only when the money comes to us and not until then we will appoint.

Mr. A. B. Salem.—We do not want that money.

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President.—I do not know whether this principle could be acted upon. There are of course instances. I have stated that it is a party furnishing money for the discharge of certain duties of the Government and I do not think that it is not an inducement to the Government to execute the thing properly

Mr. T. M. Krishna Menon.—I applied for sanction to the Government for the appointment of the special staff. With regard to the offer, if the House thinks that that money should not be collected from the party, I am quite willing. I am not in the least interested. I have only taken the precaution that the money may be refunded. So far as I am concerned, I am perfectly satisfied.

Mr. K. P. Kannan Nayar.—As stated by the previous speaker, the Member for Jews, I too think that on principle this demand should not be allowed. The law lays down the duty on the Revenue authorities to carry out this work.

President.—It is only a token motion.

Mr. A. B. Salem.—I shall convert it into a total cut. But then, if the principle is accepted, Government will not allow the demand. So a token cut would be enough.

President.—Yes. It may stand like that.

Mr. K. P. Kannan Nayar.—The point is only this. As a matter of fact, if the work of carrying out this partition cannot be carried on with this additional allotment of Rs. 840, certainly the Government must incur the expenditure and they must carry it out. There is no use of asking the party to deposit the amount. That will create a bad precedent in the matter of partitions. In the ordinary course of events this matter will come generally before the Registrar only. The Registrar forwards the copy of the document to the Revenue authorities who effects the necessary changes in the Revenue registers and carry out the sub-division work. No doubt there may be some delay on account of the extraordinary work in this particular case. Suppose the party says "I will pay something, you appoint a special staff and do the thing all at once." That is a bad thing on principle. Similarly, here, so far as the partition work is concerned, under *the Civil Procedure Code*, when a decree is transferred to the Diwan Peishkar who corresponds to the Collector in the British India, it is his duty to do the work. There may be some delay. If it is found that, with the normal staff, this could not be done expeditiously, he may appoint a special staff and the money may be taken from the Government coffers than going and asking from the party thereof. I think, if the appointment is after taking money from the parties concerned, I do not think even my friend will agree to the policy.

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Mr. T. M Krishna Menon.—I said from the very beginning I have no wish to recover the amount from the Ambat people.

That is not the demand now.

Dr. A. G. Menon.—I hope you will give back the money you have already collected.

Mr. T. M. Krishna Menon.— When the Government orders.

Mr. Thomas Manjuran.—That is not the demand now. Without this money, the Diwan submitted, this partition could not be done as expeditiously as Mr. Kuttikrishna Menon wanted. Otherwise it will be impossible for some years to complete this work, and that Government will do what it can.

Mr. T. M. Krishna Menon.—It will be impossible to complete this work for some years unless a special staff is appointed.

Mr. A. B. Salem.—Government must appoint.

President.—If no special staff is appointed, it will take a long time.

Dr. A. G. Menon.—All the *tarwads* in the Cochin State will be affected in this way, Sir. Those who are here and those who are not here it may come to their *tarwads* also. Government must do it without collecting any sum from the parties

Mr. E. Ikkanda Warriar.—This is a sort of tipping the Government. Already we have heard of tips to the subordinate officers and it has become current throughout the State. Although the State does not practically shut their eyes, tips are received by the subordinate officers. Now Government itself is trying to take a tip. On that principle my submission is that the Government should not take this tip and should not legalise that sort of taking money. (*Hear, hear.*)

Mr. P. Krishna Menon.—I oppose the demand on more grounds than one. In the first place, the first demand that was asked for is 'Land Revenue—Temporary Establishment.' A similar phraseology is used with reference to this also, 'Land Revenue—Temporary Establishment.' It necessarily follows, after having heard the explanation for the first demand, that a similar demand is involved in the second demand. We will find, as a matter of fact, that it has nothing in common with the previous one. On the other hand, it is a sort of recoupment that is applied for.

Mr. A. B. Salem.—Adjustment of accounts.

Mr. P. Krishna Menon.—It is practically recoupment. Therefore, the form of the demand itself is objectionable. Now, I can understand if the Hon'ble the Diwan Peishkar submits

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the demand as a measure necessary for the needs of justice which he has not chosen to do.

Mr. Thomas Manjuran.—That is the point.

Mr. P. Krishna Menon.—Therefore, he has chosen to bring forward this demand for the convenience of the party which the Government is bound to attend to without being paid. That is because there is provision in the law. If they find themselves unable to carry the provisions of the law in the interests of the subjects, what the Government ought to do is to apply for grant and employ special establishment and then carry out the work that is entrusted to them. This is not, moreover, a unanimous offer that is said to have been made.

Dr. A. G. Menon.—You may take it as a unanimous offer. For argument's sake, I brought this to your notice.

Mr. P. Krishna Menon.—As was very pertinently put by the Hon'ble President, if the matter is attended to by court or Government, if they offer some money, is that to be done first? Is that the standard? Have we come to that level where pecuniary standards are to be adopted for meeting out justice, for meeting out the requests of the parties concerned? So I respectfully oppose the motion, first on the ground that it is put on a par with a demand made by the Government for its own purposes and secondly on the ground that it involves a very bad precedent and principle. Therefore, I strongly oppose the motion. It is only a token motion.

President.—The principle involved, it does not matter.

Anybody else wishing to speak? Of course the question may be considered. You said you were not very particular.

Mr. T. M. Krishna Menon.—I am particular only for the appointment.

President.—But then the question may arise why should the Government incur an expenditure for expeditiously doing a thing.

Mr. T. M. Krishna Menon.—Certain statements have been made before the House regarding the nature of my statements. From where these informations were received, I don't know. My report to the Government is this. The properties are considerable and lie scattered in several villages in the Chittur Taluk. The normal village staff will not be able to do their work of dividing them within a reasonable time. I pointedly referred to that difficulty to Mr. Kuttikrishna Menon. He applied for the entertainment of a special staff. I thought that the Government should not be put to any particular loss because of Mr. Kuttikrishna Menon's prayer being granted. Let that however go. I say the normal staff cannot attend to this

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work and complete it in any reasonable time. The appointment of a special staff is, therefore necessary. For that matter I come before this House,

President.—It is not on that ground. The Government must sanction your request. The Government has not sanctioned it. The Government has sanctioned the entertainment of the temporary staff only on the supposition that Mr. Kuttikrishna Menon has deposited the amount. You have to make out a case before the Government, not here in the Council. You have not got the sanction of the Government to move this motion on the ground that Government should spend the money. The question is you want some advance. Here the other motion will be you want a substantial amount by way of expenditure.

Mr. T. M. Krishna Menon.—The motion is for the grant of an additional amount for the entertainment of a special staff.

President.—It has to be read with a note. There is a note. Please read that note.

Dr. A. G. Menon.—On that ground, we may allow.

President.—You wanted as an advance, not as an expenditure.

Mr. T. M. Krishna Menon.—Whose note is it? Not mine.

Mr. A. B. Salem.—The statement has already been made by the Hon'ble the Finance Member that the Government does not incur any expenditure of any kind. It is only a book adjustment that has to be made. Therefore, when the Government itself does not sanction that expenditure, it cannot come here for a grant of the House. I think the proper order would be to withdraw.

President.—You placed before the Government the fact that the Government has not to incur any special expenditure.

Mr. T. M. Krishna Menon.—There are two matters involved in this, first the necessity for the appointment of a special staff, the other who is to pay. The necessity for the appointment is not questioned anywhere. I told the Government that it is necessary to appoint this staff and also that the party has agreed to pay. The Government sanctioned the appointment.

President.—Suppose you place before the Government that the party is not willing to bear the expenses. Government says let it be appointed in the ordinary way. Why should the Government incur an expenditure?

Mr. T. M. Krishna Menon —Government have not said one way or the other.

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President.—The fact is before the Government that the Government is not incurring any expenditure. Because the party pays a certain amount, it is enjoined as a duty upon the Government. So that the question will have to be freely considered whether the Government are satisfied that the work is urgent, it could not be done by the normal staff, etc.

Mr. T. M. Krishna Menon.—Am I to understand that the Government, when sanctioning this, did not consider the question of the necessity for the appoinment? I will put it the other way. Government was satisfied about the necessity for the appointment and readily consented to it. That was one of the circumstances which influenced the Government to appoint a staff. Why not assume that the Government has sanctioned the appointment because it found the necessity for the appointment, though it might also have been influenced by the fact that the party has agreed to pay for the staff?

Mr. P. Kumaran Ezhuthassan.—That was the best inducement.

Mr. T. M. Krishna Menon.—Those are matters of inference. What we find on paper is that I reported that the entertainment of a special staff is necessary and also that the Ambat people, I mean Mr. Kuttikrishna Menon, has agreed to pay.

Dr. A. G. Menon.—We have agreed. It is only on principle.

Mr. T. M. Krishna Menon.—I said nothing against the principle. I am quite willing that the staff might continue on payment by the Government, no amount being collected from the party.

Mr. V. D. Ouseph.—Why should we have the whole thing discussed at the sad spectacle of the Government?

Mr. T. M. Krishna Menon .—You may leave it alone.

Mr. A. B. Salem .—We are eye-witnesses to the spectacle.

Mr. T. M. Krishna Menon .—You will please shut your eyes against it.

Mr. P. Krishna Menon .—Nothing wrong. The matter may be reconsidered from that point of view.

President .—There is the question of principle involved in this. I think that was one of the prime considerations with the Government. Of course you might not have considered this as a very important matter. It might be only subsidiary. What is the urgency of the work? Why is it we cannot carry on the work with the normal staff? All these questions will arise.

Mr. Thomas Manjuran .—May be considered.

Mr. T. M. Krishna Menon .—I can come forward with a similar demand next time. With the permission of the House I shall withdraw this and bring another motion.

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President .—A sort of adjustment is contemplated.

Mr. Thomas Manjuran. —Withdraw for the time being.

Dr. A. G. Menon— He has withdrawn.

President. —The demand is not pressed, therefore, withdrawn.

The demand was taken as withdrawn.

Dr. A. G. Menon .—The point on which the principle is discussed may also be noted.

Mr. Thomas Manjuran .—That is there in the discussion. It is on that that it is withdrawn.

Mr. T. M. Krishna Menon .—I withdraw it because the Government has had no occasion to consider this aspect of the question.

President .—He can move it again if there is a necessity. Of course you can move that and the question may be considered. If any amount has been deposited, that may be refunded.

3. XV—Law and Justice—law dept.—fees to vakils in Sirkar cases—Rs. 50.

President .—Demand No. 3 under Law and Justice, Rs. 50.

Mr. A. Sankara Menon .—I beg to move for an additional allotment of Rs. 50 under 'Law and Justice' under the head 'vakil's fee'.

Dr. A. G. Menon .—Louder please.

Mr. A. Sankara Menon .—I shall state the circumstances under which I have to make this demand. There was a case of forgery and false personation against three persons. One of them absconded. Two of them were prosecuted, and Mr. K. Achyuta Menon, who is the present Sirkar Vakil at Trichur, conducted the defence. The third accused was afterwards arrested and the case came up before the Sessions Court at Trichur. Mr Achyuta Menon, having appeared for the two accused before in the same matter, could not appear for the prosecution. He was disqualified. Therefore, he had to recommend another vakil. Mr. T. S. Narayana Ayyar, a leading vakil of the Trichur Bar, was appointed to conduct the prosecution, and this amount is necessary as fees to be paid to him. There was only an allotment of Rs. 100 for vakil's fee allowed by this Council. That amount was almost spent and, therefore, it has become necessary to ask for this grant.

Motion No. 1.

Mr. A. B. Salem.—*To reduce the allotment of Rs. 50 for 'XV—Law and Justice—Law Dept.—fees to vakils' by Re. 1.*

President .—Mr. Salem, you have got a cut motion.

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